

United States District Court

EASTERN

FILED U.S. DISTRICT COURT OF

NEW YORK

UNITED STATES OF AMERICA

V.

IN CLERK'S OFFICE
U.S. DISTRICT COURT, E.D.N.Y.

★ DEC 13 2005 ★

BROOKLYN OFFICE

ORDER OF TEMPORARY DETENTION
PENDING HEARING PURSUANT TO
BAIL REFORM ACT

Joseph Prestia

Defendant

Case Number:

65cr842 (ARK)

Upon motion of the

Def.

, it is ORDERED that a

detention hearing is set for

12/14/05
Date

* at

12pm

Time

before

Mag Levy

Name of Judicial Officer

BROOKLYN, NEW YORK

Location of Judicial Officer

Pending this hearing, the defendant shall be held in custody by (the United States marshal) (

) and produced for the hearing.

Other Custodial Official

12/17/05

Date

s/Robert Levy

Judicial Officer

*If not held immediately upon defendant's first appearance, the hearing may be continued for up to three days upon motion of the Government, or up to five days upon motion of the defendant. 18 U.S.C. §3142(f)(2).

A hearing is required whenever the conditions set forth in 18 U.S.C. §3142(f) are present. Subsection (1) sets forth the grounds that may be asserted only by the attorney for the Government; subsection (2) states that a hearing is mandated upon the motion of the attorney for the Government or upon the judicial officer's own motion if there is a serious risk that the defendant (a) will flee or (b) will obstruct or attempt to obstruct justice, or threaten, injure, or intimidate, or attempt to threaten, injure, or intimidate a prospective witness or juror.